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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

BARQADLE, YASIN M

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/682,853	<b>Applicant(s)</b> HARRIS, SCOTT C.	
	<b>Examiner</b> YASIN M. BARQADLE	<b>Art Unit</b> 2456	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 3/24/2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-10,13,14,16-20,24 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-10,13,14,16-20,24 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

Art Unit: 2456

### **Continued Examination Under 37 CFR 1.114**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 24, 2009 has been entered.

### **Response to Amendment**

2. The amendment filed on March 24, 2009 has been fully considered but are not deemed persuasive in view of the new grounds of rejection.

Claims 21 and 23 are withdrawn.

- Claims 1-3, 5-10 and 13-14, 16-20 are presented for examination.

### **Response to arguments**

In response to claim 7 defining information user to purchase a product, the Examiner notes that Rajan disclose "Another type of request may be for

Art Unit: 2456

information about departure/arrival parameters and gate instructions associated with purchased airline tickets” and a notification of a first class flight to below \$1000. (col. 15, lines 50-67).

Regarding applicant’s arguments where the results are received from multiple different sources (page 16). The Examiner notes that Steele is relied upon to teach such limitation. [Steele page 9, paragraphs 0129-0134. see also 0110 and fig. 3).

It is also noted that claim 1 requires at least one template in order Brett to meet the invention as explained.

### **Claim objections**

Claim 24 is objected because it depends on itself.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 1 recites the limitation "said different templates" in line 18. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,3 and 13-14, 17-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brett et al US. PUB (6023685) in view of Steele et al US PUB (20020046084) and further in view Brandt et al US. PUB (5892905).

As per claims 1, 9, 17 and 20, Brett teaches et al teach a method (abstract), comprising:

sending a request for information from an interactive device (Fig. 1, terminals 14) to a first server (Fig. 1, 12 where said interactive device receiving from said first server, information from said request to query sources of information ( see fig. 1); including a first results from querying of information contained within internet based webpage (col. 7,lines 39-67), including a second source of information contained within a second internet based webpage, and a third source of information within a third Internet based webpage (central computer 12, fig. 1 includes database 15,16 and 17

Art Unit: 2456

respectively including Internet based webpage as displayed in figures 5 to 8); reformatting said first and second results using at least one template where the template includes a form that includes non variable textual information that stays constant, and open portions for said first and second information that changes based on said results received from one of said sources of information, an arrangement that arranges said non variable information and said variable information (see fig. 10 and 11); using said raw information to fill in said open portions on said template (col. 10, lines 23-40 and figs 10-11 (the sponsor name is constant while bid status varies. See also figs 5a to 7); and

displaying said template, with said information filled therein, on said interactive device (col. 8, lines 37-62 and col. 10, lines 23-40. See figs 5 to 6 and particularly fig. 11 sec C status information).

Although Brett shows substantial features of the claimed invention including querying internet based webpage sources of information at the server (col. 7, lines 39-67 central computer 12, fig. 1 includes database 15, 16 and 17 respectively including Internet based webpage as displayed in figures 5 to 8), Brett does not explicitly show using information from said request to query sources of information including a second and a third source of information within Internet based webpage (server). Nonetheless, this feature is well known

Art Unit: 2456

in the art and would have been an obvious modification of the system disclosed by Brett, as evidenced by Steele et al USPN. (20020046084).

In analogous art, Steele et al whose invention is about a configurable multimedia information system that supports electronic commerce where customized information such as stock quotes, travel information, advertising, and e-mail are communicated to portable interactive device (abstract and paragraph 0072), disclose using information from said request to query sources of information including a second and a third source of information within Internet based webpage (server) [page 9, paragraphs 0129-0134. see also 0110 and fig. 3]. Giving the teaching of Steele et al, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Brett by employing the system of Steele et al in order to provide users beneficial up-to-date information that is consistent with their preference of services and products.

Steele et al further teaches a portable device where results are in a form that cannot be viewed on interactive device (paragraphs 025,047 and 072).

Brett and Steele teach the invention as discloses above. However, Brett and Steele are silent about opening plural Internet pages on plural different Internet servers. Nonetheless, the feature of opening plural Internet pages on plural different Internet servers is well known in the art as evidenced by Brandt et al US. PUB (5892905). Brandt teaches "By inserting variables

Art Unit: 2456

associated with more than one software application, a single web page can access data from these multiple software applications. The data is parsed into the HTML template by Internet/application gateway 332 and delivered to web server 222, which delivers the output to web browser 212.” Col. 15, line 15-40). Brandt further teaches “For example, an input variable can be included in an HTML page that specifies the next HTML page to be sent to web browser 212. In that case, when the HTML page is submitted back to web server 222, the Internet/application gateway 332 parses out the variable and directs web server 222 to deliver the specified HTML page back to web browser 212.” (col. 16, lines 14-46. See fig. 6-8). It would have obvious to one ordinary skill in the art at the time of the invention to include multiple template library system of Brandt with the system of Brett and Steele in order to be able to retrieve and open various HTML template library for customer appropriate viewing. “Upon submission of the HTML template web server 222, the CGI parses the variables and delivers them to the FMIG. The FMIG then directs the software application to start the process specified by the wf variable and passes the two application variables to the appropriate software application. The software application would then retrieve the appropriate data from the applications corresponding to the variables. Thus, by using the



Art Unit: 2456

appropriate HTML variables a web client is able to work with many different applications through a single web page. This interaction can be completely transparent to the web client or may be apparent from the interface web page.” (Col. 25, lines 2-20).

As per claim 3, Brett teaches the invention, wherein said interactive device is a device that only displays text, and using variable portions comprises changing said information from an HTML format into a text format, using only a portion of said another format for display (col. 7 lines 39-58 and col. 10, lines 23-40).

As per claim 10, Brett and Steele et al teach a method as in claim 2, wherein said reformatting comprises reformatting said information into an XML form [col. 8, lines 15-24].

As per claims 13 and 14, Steele teaches the invention, wherein said using to form a formatted display comprises changing said HTML response (Internet pages ) from said Internet website into another format, wherein said HTML response that cannot be viewed on said interactive handheld device , and using only a portion of said another format, where in said another format is a format that can be viewed on said interactive device (paragraphs 025, 047 and 072. see also 0105 and -109).

Art Unit: 2456

As per claim 16, Brett teaches the invention further comprising automatically reporting changes to at least one of the websites a specified increments (Col. 10, lines 19-38).

As per claim 18, Brett teaches method as in claim 5, wherein said personal information which is sent includes logon information including at least a logon name and a password (col. 6, lines 50-65).

3. Claims 2 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rajan et al US. Patent (6633910) .

As per claim 2, Rajan teaches the method comprising:

sending a request for information from an interactive device (fig. 1, devices 39,43,41 and 47) to a first server (fig. 1 server 33) , wherein said sending comprises sending one of multiple different kinds of requests to said first server, each different kind of request operative to request a different type of information, where a first request is a request for information from a first website and a second request is a request for information form a second website different than said first website (col. 6, lines 32-55 and col. 13, items 1-5; ticket information, arrival/departure information, stock quotes, account balance and/or email information are requested from different website in server 21-25 of fig. 1 col., 6, lines 12-55 and col. 14, lines 23-40);

Art Unit: 2456

using variable information from said result without using formatting information, to form raw information (col. 17, lines 61 to col. 17 lines 37 (bidding change and bank statement change are variable information rendered to templates); storing at least one template, where the template includes a form that includes non variable textual information that stays constant every time said template is used, and open portions for said variable information that changes based on said results received from said source of information, where said non variable information contains a textual description associated with said variable information, and wherein said template includes an arrangement that arranges said non variable information and said variable information (col. 8, lines 55-65 and col. 17, lines 61 to col. 17 lines 37 using said raw information to fill in said open portions on said template (open slots in the output template are filled with retrieved stock, flight bidding and bank statement information); said storing stores multiple different templates (col. 8, lines 55-65 and col. 17, lines 61 to col. 17 lines 37, and using said one of said templates for displaying said results; and displaying said template, with said information filled therein, on said interactive device (col. 8, lines 39 to col. 9, line 7).

Although Rajan shows substantial features of the claimed invention as explained above, Rajan does not explicitly show selecting a templates that

Art Unit: 2456

corresponds to one of kinds of requests, including a first template for said first website, and a second different template for said second website.

Nonetheless, the features of selecting a template that corresponds for a first web site and a second different template for another website is an obvious feature of Rajan's multiple input templates and output templates associated with ticket information, arrival/departure information, stock quotes, account balance and/or email information retrieved from different website in server 21-25 of fig. 1. One ordinary skill in the art would appreciate to include the template creating feature of Rajan a selection mechanism for selecting a different template that corresponds each website that provides particular information such ticket information, arrival/departure information, stock quotes and account balance. In this way each website would be identified differently independent of the variable information rendered.

As per claim 7, Rajan teaches method as in claim 2, wherein said kind of information is an indication to purchase a product, and said template is a template to obtain variables to allow purchase of the product ("Another type of request may be for information about departure/arrival parameters and gate instructions associated with purchased airline tickets" col. 15, lines 63 to col. 16, line 7).

Art Unit: 2456

Regarding claim 8, Rajan a user balance information and where said template is a template allowing entry of variables from raw information to fill in bank balance information [Col. 13, lines 44-63 and col. 15, lines 50-67].

4. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rajan et al US. Patent (6633910) in view of Steele et al US (20020046084).

Regarding claim 5, Although Rajan shows substantial features of the claimed invention including querying internet based webpage sources of information at the server (col. 7, lines 39-67) and wherein said interactive device also stores personal information associated with a user of the interactive device, and wherein said sending comprises sending a request for information which includes some of said personal information (col. 15, lines 49-67), Rajan does not explicitly show requesting the interactive device to identify more information about specific query to be made to said request to query a publicly accessible sources of information.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Rajan, as evidenced by Steele et al USPN. (20020046084).

In analogous art, Steele et al whose invention is about a configurable multimedia information system that supports electronic commerce where

Art Unit: 2456

customized information such as stock quotes, travel information, advertising, and e-mail are communicated to portable interactive device (abstract and paragraph 0072), disclose requesting the interactive device to identify more information about specific query to be made to said request to query a publicly accessible sources of information) [page 9, paragraphs 0129-0134. see also 0110 and fig. 3]. Giving the teaching of Steele et al, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Rajan by employing the system of Steele et al in order to provide users additional information matching their desires and consistent with their preference of services and products.

As per claim 6, Rajan teaches method as in claim 5, wherein said personal information which is sent includes logon information including at least a logon name and a password (col. 15, lines 63 to col. 16, line 7).

5. Claim 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brett in view of Steele and Brandt.

Although Brett shows substantial features of the claimed invention as explained above including “Use of a template allows the bid status updates to be made with transmission of only the numerical data, which in combination with the template, presents the comprehensive auction status update to participants.” Col. 10, lines 23-31). Brett does not explicitly show multiple

Art Unit: 2456

different kinds of requests, storing multiple different templates and selecting one the said templates that corresponds to one of kinds of requests and using the stored templates based on said kind of requests so that a first request uses a first template and a second request uses a second different template.

Nonetheless, the features of selecting a template that corresponds to a first request and a second different template for another request is an obvious feature of Brett's use of templates. One ordinary skill in the art would appreciate to include multiple template in the system of Brett to store different the response of different auction bids. In such a way each received auction is stored in a separate different template In this way each auction bid response can be identified differently independent of the variable information rendered. As per claim 24 and 25, the Examiner takes Official Notice Internet pages to include a bank balance and stock monitoring page to be displayed for a requesting user. One ordinary skill in the art would do so to conveniently access stock and/or bank information at a computing device conveniently.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

Art Unit: 2456

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yasin M Barqadle/

Primary Examiner, Art Unit 2456